



PATENT

ATTORNEY DOCKET NO.: 059994-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasushi OGIHARA

Application No.: 10/625,545

Filed: July 24, 2003

For: MICROSCOPE SYSTEM

Group Art Unit: Unassigned

Examiner: Unassigned

07/21/2004 HLE333 00000075 10625545

01 FC:1251 110.00 DA

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed April 20, 2004.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

☐ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

☒ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

## 5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[Fee for Small Entity]
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

Extension of time fee due with this request: \$110.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

## 6. Assignment

- ☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 7. Fee Calculation

					Fee Code
Basic Fee				\$	1001/2001
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	15-20 =	0	\$18/\$9 each=	\$	1202/2202
Independent Claims	4- 3 =	1	\$86/\$43 each=	<b>\$86.00</b>	1201/2201
Multiple dependent claim(s), if any			\$290/\$145	\$	1203/2203
<b>SUB-TOTAL =</b>				<b>\$86.00</b>	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$	1051/2051
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$110/\$55 (1 Month)		<b>\$110.00</b>	1251/2251
		\$420/\$210 (2 Months)			1252/2252
		\$950/\$475 (3 Months)			1253/2253
		\$1480/\$740 (4 Months)			1254/2254
		\$2010/\$1005 (5 Months)			1255/2255
<b>SUB-TOTAL =</b>				<b>\$196.00</b>	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	<b>\$130.00</b>	1053
Assignment Recordation Fee			\$ 40.00	\$	8021
<b>TOTAL FILING FEE =</b>				<b>\$326.00</b>	

8. Fee Payment

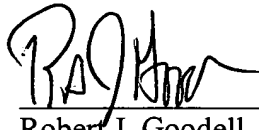
- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_ representing the total fee due.
- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

- ☒ Preliminary Amendment
- ☒ Submission of Replacement Drawings with 13 sheets of drawings
- ☐ Claim for Priority
- ☐ Certified copy(ies) of priority document(s):
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other:

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Robert J. Goodell, Reg. No. 41,040

Date: July 20, 2004

**CUSTOMER NO. 09629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
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**PATENT**  
ATTORNEY DOCKET NO.: 059994-5001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Yasushi OGIHARA

Application No.: 10/625,545

Confirmation No.: 8198

Filed: July 24, 2003

For: **MICROSCOPE SYSTEM**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**SUBMISSION OF REPLACEMENT DRAWINGS**

Filed herewith are thirteen (13) replacement sheets of drawings containing Figures 1-14. These replacement sheets of drawings are submitted to improve the form of the drawings. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Robert J. Goodell, Reg. No. 41,040

Dated: July 20, 2004  
**Customer No. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
**1111 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20004**



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Page 1 of 2  
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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/625,545	07/24/2003	Yasushi Ogihara	059994-5001

CONFIRMATION NO. 8198

09629

MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

## FORMALITIES LETTER



\*OC000000012397484\*

Due Date 6-20-04  
Action missing parts  
By PSB SDW

Date Mailed: 04/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/21/2004 HLE333 00000075 500310 10625545

01 FC:1251 110.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1, 2, 7, 12-14.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

**RECEIVED** \$130 for English translation surcharge required.

10625545  
07/21/2004 HLE333 00000075 500310  
02 FC:1201 86.00 DA  
03 FC:1051 130.00 DA

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

*GOWAN*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY